

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

DELINDA M. MARTINS,

Plaintiff,

v.

FEDERAL HOUSING FINANCE AGENCY;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION; and GREEN TREE
SERVICING, LLC,

Defendants.

CIVIL ACTION NO. 1:15-cv-00235-M-
LDA

FEDERAL HOUSING FINANCE AGENCY;
and FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Counterclaimants,

v.

DELINDA M. MARTINS,

Counter-Defendant.

AFFIDAVIT

I, Stewart Derrick, being duly sworn, state as follows:

1. I am an employee of Ditech Financial LLC, formerly known as Green Tree Servicing, LLC ("Green Tree"), and I am authorized to make this affidavit on behalf of Green Tree. Green Tree is currently servicing a loan originated by Shamrock Financial Corporation ("Shamrock") evidenced by a promissory note signed by Delinda M. Martins on January 23, 2007.
2. I am over the age of 18 and competent to testify as to the matters contained in this affidavit. I have access to the business records of Green Tree, including the business records for and relating to the loan at issue in this litigation. I make this affidavit based upon my review of those records relating to the loan and from my own personal knowledge of how they are kept and maintained. The loan records are maintained by

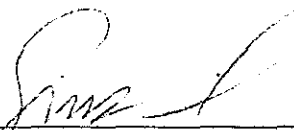
Green Tree in the course of its regularly conducted business activities and are made at or near the time of the event, by or from information transmitted by a person with knowledge. It is the regular practice to keep such records in the ordinary course of a regularly conducted business activity. Green Tree's records that relate to the loan that I reviewed and relied upon for the statements made in this Affidavit include images of the note, Green Tree's electronic servicing system and images of correspondence. I make this affidavit based upon my review of Green Tree's business records.

3. I have reviewed Green Tree's records with respect to mortgage loan number 68900946, borrower Delinda M. Martins.
4. A note dated January 23, 2007, in the original principal amount of \$195,000 (the "Note") was signed by Delinda M. Martins ("Borrower"), and was secured by a mortgage on a property located at 11 Farnum Pike, Smithfield, Rhode Island (the "Mortgage") executed by Borrower. The Mortgage identified Shamrock as lender and Mortgage Electronic Registration Systems, Inc. ("MERS") as Mortgagee, in its capacity as nominee for Shamrock. The Note and Mortgage are collectively referred to as the "Loan Documents."
5. Attached as *Exhibit A* to Federal National Mortgage Association's ("Fannie Mae") Statement of Undisputed Facts in Support of its Motion for Summary Judgment ("SOF") is a true and accurate copy of the Note, dated January 23, 2007, and executed by Borrower.
6. Attached as *Exhibit B* to the SOF is a true and accurate copy of the Mortgage, dated January 23, 2007 and executed by Borrower.

7. On or about May 13, 2008, MERS, as nominee for Shamrock, assigned the Mortgage to Fannie Mae. Attached as *Exhibit C* to the SOF is a true and accurate copy of the assignment from MERS to Fannie Mae.
8. Borrower began to fall behind on her monthly mortgage payments in or around January 2008. Borrower has not made a mortgage payment since May 2013 and the Loan is due for October 2009. The Borrower has not made payments to bring this Loan current, and the entire loan balance has been accelerated and is now due and owing.
9. As of today, approximately **\$307,500.26** is due and owing under the Loan, exclusive of attorney's fees and costs in this action. This amount includes principal, interest, late charges, escrow advances, and other advances. Interest will continue to accrue in accordance with the terms of the Loan Documents. Additional escrow advances and/or fees for inspections, property preservations or otherwise to protect the property may be incurred after the date of this affidavit.
10. Attached as *Exhibit D* to the SOF are true and accurate copies of letters of default dated February 12, 2014 from Green Tree Servicing, LLC, as servicer for Fannie Mae to Delinda M. Martins.
11. Attached as *Exhibit E* to the SOF are true and accurate copies of letters dated May 8, 2014.
12. Attached as *Exhibit F* to the SOF is a true and accurate copy of a Foreclosure Deed recorded on August 13, 2014 in the land evidence records for the Town of Smithfield at Book 968, Page 271.

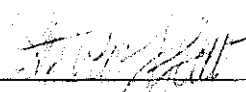
13. Attached as *Exhibit G* to the SOF is a true and accurate copy of the Order rescinding foreclosure recorded on September 1, 2015 in the land evidence records for the Town of Smithfield at Book 1018, Page 316.
14. Attached as *Exhibit H* to the SOF is a true and accurate copy of the Payoff Quote for the loan.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 12 DAY OF APRIL, 2016.



NAME: Stewart Derrick
TITLE: Corporate Litigation Representative,
Ditech Financial LLC

Subscribed and sworn to before me this 17 day of April 2016.



NOTARY PUBLIC
My Commission Expires: 10/31/2019

